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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/735,147 | 12/12/2000 | Ganesh Rajan | GIC-531 | 7254 |

20028 7590 07/02/2004

LAW OFFICE OF BARRY R LIPSITZ
755 MAIN STREET
MONROE, CT 06468

EXAMINER

VO, TUNG T

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2613

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/735,147

Applicant(s)

RAJAN, GANESH

Examiner

Tung T. Vo

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Eleftheriadis et al. (US 6,092,107) as set forth in the previous Office Action, Paper No. 4.

Response to Arguments

3. Applicant's arguments filed 05/12/04 have been fully considered but they are not persuasive.

The applicant argued that Eleftheriadis does not disclose or remotely suggest the following features of the Applicant's claims:

The recovery of object descriptor information that associates recovered multimedia objects with respective ones of the element stream;

Providing the recovered object descriptor information from a terminal manager to a composition engine;

The creation of a list of specific ones of the recovered multimedia objects that are to be displayed in the multimedia scene; and

A composition engine which is response to the recovered object descriptor information sent from the terminal manager and scene descriptor information recover at the composition engine for creating the list of the specific ones of the multimedia objects.

The examiner respectfully disagrees with the applicant. It is submitted that Eleftheriadis does disclose the recovery of object descriptor information that associates recovered multimedia objects with respective ones of the element stream (270, 271, 272 of fig. 2; note the decoder recovers and decodes a video objects and audio objects that are considered object descriptor information in a multimedia scene see also col. 6, lines 46-col. 8, line 8; e.g. MPEG-4 must contains the object descriptor information); providing the recovered object descriptor information from a terminal manager to a composition engine (406-410 of fig. 4, col. 8, line 9-col. 12, line 40); the creation of a list of specific ones of the recovered multimedia objects that are to be displayed in the multimedia scene (3, lines 1-29); and a composition engine (282 of fig. 2) which is response to the recovered object descriptor information sent from the terminal manager and scene descriptor information recover at the composition engine for creating the list of the specific ones of the multimedia objects.

Eleftheriadis further teaches discloses a composition engine (225 of fig. 2, see also 305 of fig. 3 and 415 of fig. 4) recovers scene description information (235 of fig. 2) from the bitstream (230, 165 of fig. 2) that defines specific ones of the recovered multimedia objects (305 of fig. 3, and 415 of fig. 4) that are to be provided in the multimedia scene, and characteristics of the recovered multimedia objects in the multimedia scene (col. 6, lines 3-32), and the composition engine (225 of fig. 2) is responsive to said recovered object descriptor information (406-410 of fig. 10) provided thereto and said recovered scene description information for creating a list of said specific ones of the recovered multimedia objects that are to be displayed in said multimedia scene (API, Application Programming Interfaces, 295 of fig. 4; col. 8-14); the composition (225 of fig. 2) incorporate with the terminal manager (100, 110, 290 and 295) to create a list of said specific ones of the recovered multimedia objects that are to be displayed in said multimedia scene (fig. 4 and 5). It is noted that the applicant admitted "the term "list" will be used herein to indicate any type of listing regardless of the specific implementation. For example, the list may be provided as a single list for all objects, or separate lists may be provided for different object types (e.g. video or audio), or more than one list may be provided for each object type. The list of objects is a simplified version of the scene graph information". The examiner cites (col. 5, lines 21-36, details in col. 6, lines 45 through col. 14, line 2) to support "list" of the claimed invention and considers " packages are a means to organize the implementation of APIs", "the library of APIs", or instructions (307-312 of fig. 3 and 421-430 of fig. 4) as "list". In view of discussion above, Eleftheriadis anticipates the claimed features. Moreover,

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Eleftheriadis does disclose a presentation engine (282 of fig. 2) obtains said list from said composition engine (268 of fig. 2), and, in response thereto, retrieves the corresponding decoded multimedia objects from said content decoders (279, 280, 281 of fig. 2) to provide data (283 of fig. 2) corresponding to the multimedia scene to an output device (285 of fig. 2; see also col. 6, lines 12-44).

It is noted that the law of anticipation does not require that a reference “teach” what an applicant’s disclosure teaches. Assuming that a reference is properly “prior art,” it is only necessary that the claims “read on” something disclosed in the reference, i.e., all limitations of the claim are found in the reference, or “fully met” by it. Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 772, 218 USPQ 781, 789 (Fed. Cir. 1983).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung T. Vo whose telephone number is (703) 308-5874. The examiner can normally be reached on 6:30 AM - 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris. Kelley can be reached on (703) 305-4856. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



T.Vo

Tung T. Vo
Primary Examiner
Art Unit 2613